

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 to permit a front yard setback of 2 feet in lieu of the required 18.75 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, following reasons: (Indicate hardship or practical difficulty)

- Owner is wheelchair bound and ramp is only means of independent egress from property.
- In order to meet Baltimore County Building Codes, ramp must be 19 feet long at minimum.
- Ramp presently exists and owner does not have the financial means to tear down and re-build.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:

Legal Owner(s):
Janet L. Young
(Type or Print Name)
Signature
(Type or Print Name)
Signature
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Janet L. Young
Name
429 Old Trail
Address
321-0217
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day

of November 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 23rd day of December, 1986, at 9:30 o'clock

(over)

PROPERTY DESCRIPTION

BEGINNING on the south side of Old Trail 60 feet wide, at the distance of 65 feet east of the centerline of Rodgers Court. Being Lot 31, Block 3, in the subdivision of Rodgers Forge. Book No. 19 Folio 56. Also known as 429 Old Trail in the 9th Election District.

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 24, 1986

Ms. Janet L. Young
429 Old Trail
Towson, Maryland 21204

RE: Petition for Zoning Variance
S/S of Old Trail, 65' E of
the c/l of Rodgers Court
9th Election District
Case No. 87-241-A

Dear Ms. Young:

Enclosed please find a copy of the decision rendered on the above-referenced Petition. Your request for a zoning variance has been granted, subject to the restrictions noted in the attached Order.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: B. J. Land
7132 Heathfield Road, Baltimore, Maryland 21212

Randy Jones
Baltimore County Housing Rehabilitation Office
People's Counsel

setback of 2 feet for a wheelchair ramp, in accordance with the plan submitted, be and is hereby GRANTED, subject to the following restriction:

When the Petitioner vacates the premises and/or no longer makes use of or needs the existing ramp, it shall be removed within thirty (30) days.

JEAN M. H. JUNG
Deputy Zoning Commissioner
of Baltimore County

IN RE: PETITION FOR ZONING VARIANCE
S/S of Old Trail, 65' E of
the c/l of Rodgers Court
(429 Old Trail)
9th Election District
Janet L. Young
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-241-A

The Petitioner herein requests a zoning variance to permit a front yard setback of 2 feet in lieu of the required 18.75 feet for an existing wheelchair ramp.

An employee of the Baltimore County Rehabilitation Program presented the Petitioner's written request for dismissal of the instant case, spoke on her behalf, and answered questions from the Deputy Zoning Commissioner. The Petitioner is wheelchair-bound and the existing ramp is her only means of egress from her residence. It is anticipated that she will not be able to continue to manage the use of the ramp, that an electric chair lift will be installed in the near future, and that the ramp will be removed.

A Board member of the Rogers Forge Community Association testified that at a December 10, 1986 meeting, the Board approved the present ramp and its structure but wished that the ramp be removed when the Petitioner vacates the property.

After due consideration of the testimony and evidence presented, and it appearing that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioner, in the opinion of the Deputy Zoning Commissioner, the variance requested would not adversely affect the health, safety, and general welfare of the community and should therefore be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 24th day of December 1986, that the herein request for a front yard

RE: PETITION FOR VARIANCE
S/S of Old Trail, 65' E of C/L
of Rodgers Ct. (429 Old Trail)
9th District
JANET L. YOUNG, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 87-241-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of November, 1986, a copy of the foregoing Entry of Appearance was mailed to Janet L. Young, 429 Old Trail, Baltimore, MD 21212, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JADON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

December 17, 1986

Ms. Janet L. Young
429 Old Trail
Baltimore, Maryland 21212

RE: PETITION FOR ZONING VARIANCE
S/S of Old Trail, 65' E of the c/l
of Rodgers Ct. (429 Old Trail)
9th Election District
Janet L. Young - Petitioner
Case No. 87-241-A

Dear Ms. Young:

This is to advise you that \$73.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from this office until the time it is placed by self.

NO. 29907

MORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 1/27/87 ACCOUNT 001-515-000

STAMP & POST
RETURNED
Randy Jones, Balto. Co. Housing Rehab.
Program

RECEIVED FROM: ADVERTISING & POSTING COSTS RE CASE 87-241-A

FOR: \$ 8701*****73751a 5204

VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR ZONING VARIANCE
9th Election District
Case No. 87-241-A

LOCATION: South Side of Old Trail, 65 feet East of the Centerline of Rodgers Court (429 Old Trail)

DATE AND TIME: Tuesday, December 23, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a front yard setback of 2 feet in lieu of the required 18.75 feet

Being the property of Janet L. Young, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JADON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



November 3, 1986

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 137 Zoning Advisory Committee Meeting are as follows:

Property Owner: Janet L. Young
Location: S/S Old Trail, 65 feet E of c/l of Rodgers Court
District: 9th.

APPLICABLE ITEMS ARE CIRCLED:

1. All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #11-85, the Maryland Code for the Handicapped and Aged (A.M.S.L. #11-1 - 1980) and other applicable Codes and Standards.

2. A building and other miscellaneous permits shall be required before the start of any construction.

3. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

4. Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

5. All Use Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.7, Section 106.2 and Table 101.2. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

7. The requested variance appears to conflict with Section(s) _____ of the Baltimore County Building Code.

8. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____ or to Mixed Use _____. See Section 312 of the Building Code.

9. The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the "base floor levels including basement."

10. Comments: If ramp is for handicapped use we have information in our Codes as to the correct ramp ratio of run/rise - guards, etc.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

Mark E. Shuman
Mr. C. E. Burnham, III
Building Plans Review

11/22/86

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: November 24, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 87-224-A, 87-225-A, 87-230-A, 87-231-A,
87-235-A, 87-236-A, 87-237-A, 87-241-A,
87-243-A and 87-245-Sph

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Norman E. Gerber, AICP
Director

NEG:JGH:slb

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 15, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Ms. Janet L. Young
429 Old Trail
Baltimore, Maryland 21212

RE: Item No. 137 - Case No. 87-241-A
Petitioner: Janet L. Young
Petition for Zoning Variance

Dear Ms. Young:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

October 24, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, and 149.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lt

Ms. Janet L. Young
429 Old Trail
Baltimore, Maryland 21212

November 14, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
S/S of Old Trail, 65' E of the c/l of
Rodgers Ct.
(429 Old Trail)
9th Election District
Janet L. Young - Petitioner
Case No. 87-241-A

TIME: 9:30 a.m.

DATE: Tuesday, December 23, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

December 23, 1986
429 Old Trail
Towson, Maryland 21204

Office of Planning and Zoning
111 West Chesapeake Avenue
Room 109
Towson, Maryland 21204

Dear Sir:

Please dismiss case number 87-241-A. (429 No. 137)

Thank you,

Janet Young
Janet Young

RECEIVED
DEC 23 1986
ZONING OFFICE



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

NOVEMBER 19, 1986

Re: Zoning Advisory Meeting of October 21, 1986
Item # 137
Property Owner: JANET L. YOUNG
Location: S/S OLD TRAIL, 65' E. OF C/L
OF RODGERS CT.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

David Fields, Acting Chief
Current Planning and Development

cc: James Haswell



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

October 20, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

RE: Property Owner: Janet L. Young
Location: S/S Old Trail, 65 ft. E of centerline of
Rodgers Ct.
Item No.: 137 Zoning Agenda: Meeting of Oct. 21, 1986

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reincke* Noted and
Planning Group Approved:
Special Inspection Division Fire Prevention Bureau

/mb

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 026014

DATE: 9/30/86 ACCOUNT: 8-01-121-000

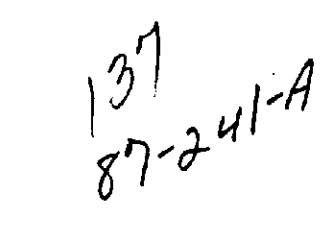
AMOUNT: \$3500

RECEIVED FROM: *Janet Young*

FOR: VARIANCE ITEM # 137

B 0014*****5002 0302F

VALIDATION OR SIGNATURE OF CASHIER



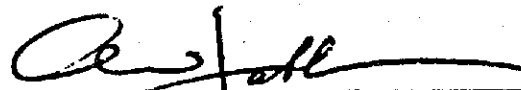
NOTE: This permit must be conspicuously displayed and not removed from the premises for which it was issued. It is not transferable. It must be shown upon demand to any authorized representative of the Buildings Engineer, Division of Building Inspection. This permit is good only for the use and to the extent described above. Changes in use, any extension thereof, and changes in occupancy require a new permit.

87-241-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesseapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
12th day of November, 1986.


ARNOLD FABLON
Zoning Commissioner

Petitioner _____
Petitioner's Janet L. Young
Attorney _____

Received by: James E. Dyer
Chairman, Zoning Pla
Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland 87-241-A

District: 2th

Posted for: Harmon Date of Posting: 12-3-86

Petitioner: Carl J. Harmon

Location of property: S/S of Old Trail 65' E of the 2th of
Redgers Court (422 Old Trail)

Location of Signs: On part of 422 Old Trail

Remarks: _____

Posted by: M. J. Roth Signature Date of return: 12-5-86

Number of Signs: 1

CERTIFICATE OF PUBLICATION

CERTIFICATE OF PUBLICATION

24.75